

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN THE APPLICATION OF:

PERRY G. CAIMI

CASE NO.: CL2123 US NA

APPLICATION NO: UNKNOWN

GROUP ART UNIT: UNKNOWN

FILED: CONCURRENTLY HERewith

EXAMINER: UNKNOWN

TITLE: UTILIZATION OF STARCH FOR BIOLOGICAL  
PRODUCTION BY FERMENTATIONAssistant Commissioner for Patents  
Washington, D.C. 20231DECLARATION OF BIOLOGICAL CULTURE DEPOSIT

Sir:

I, LIN AXAMETHY FLOYD, declare that:

I am an attorney of record for the owner of the above-identified application.

Cultures of the following biological materials have been deposited with the following international depository:

American Type Culture Collection (ATCC)

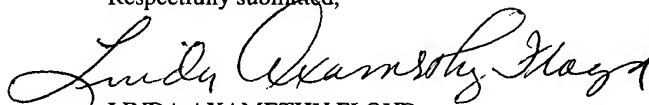
10801 University Boulevard, Manassas, VA, 20110-2209, U.S.A.

under conditions that satisfy the requirements of the Budapest Treaty on the International Recognition of the Deposit of Microorganisms for the Purposes of Patent Procedure. A copy of the receipt issued pursuant to Rules 7.3 and 10.2 (stating the term of the deposit) is attached.

<u>Depositor's Identification of Organism</u>	<u>International Depository Accession Number</u>	<u>Date of Deposit</u>
<i>Escherichia coli</i> : RJ8n	PTA-4216	April 9, 2002

I further aver that all restrictions on the availability to the public of the culture will be irrevocably removed upon the granting of a U.S. patent on the above-identified application.

Respectfully submitted,

LINDA AXAMETHY FLOYD  
ATTORNEY FOR APPLICANTS  
US PTO REGISTRATION NO. 33,692  
TELEPHONE: (302) 892-8112Dated: 22 Aug 2003  
Enclosure: Deposit Receipt

# ATCC

10801 University Blvd • Manassas, VA 20110-2209 • Telephone: 703-365-2700 • FAX: 703-365-2745

## BUDAPEST TREATY ON THE INTERNATIONAL RECOGNITION OF THE DEPOSIT OF MICROORGANISMS FOR THE PURPOSES OF PATENT PROCEDURE

### INTERNATIONAL FORM

#### RECEIPT IN THE CASE OF AN ORIGINAL DEPOSIT ISSUED PURSUANT TO RULE 7.3 AND VIABILITY STATEMENT ISSUED PURSUANT TO RULE 10.2

To: (Name and Address of Depositor or Attorney)

DuPont Experimental Station  
Attn: Patricia C. Brzostowicz  
E301/305  
200 Powder Mill Road  
PO Box 80301  
Wilmington, DE 19880-0301

Deposited on Behalf of: E. I. DuPont de Nemours and Company

Identification Reference by Depositor:

Patent Deposit Designation

Escherichia coli: RJ8n

PTA-4216

The deposit was accompanied by: ☐ a scientific description ☐ a proposed taxonomic description indicated above.

The deposit was received April 9, 2002 by this International Depository Authority and has been accepted.

AT YOUR REQUEST: ☒ We will inform you of requests for the strain for 30 years.

The strain will be made available if a patent office signatory to the Budapest Treaty certifies one's right to receive, or if a U.S. Patent is issued citing the strain, and ATCC is instructed by the United States Patent & Trademark Office or the depositor to release said strain.

If the culture should die or be destroyed during the effective term of the deposit, it shall be your responsibility to replace it with living culture of the same.

The strain will be maintained for a period of at least 30 years from date of deposit, or five years after the most recent request for a sample, whichever is longer. The United States and many other countries are signatory to the Budapest Treaty.

The viability of the culture cited above was tested April 12, 2002. On that date, the culture was viable.

International Depository Authority: American Type Culture Collection, Manassas, VA 20110-2209 USA.

Signature of person having authority to represent ATCC:

Marie Harris  
Marie Harris, Patent Specialist, ATCC Patent Depository

Date: April 17, 2002

cc: Lin A. Floyd  
(Ref: Docket or Case No.: CL-1813)